

IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

GIL CROSTHWAITE and RUSS BURNS, in their
respective capacities as Trustees of the OPERATING
ENGINEERS' HEALTH AND WELFARE TRUST FUND,
PENSION TRUST FUND FOR OPERATING ENGINEERS,
PENSIONED OPERATING ENGINEERS' HEALTH AND
WELFARE FUND, OPERATING ENGINEERS AND
PARTICIPATING EMPLOYERS PRE-APPRENTICESHIP,
APPRENTICE AND JOURNEYMEN AFFIRMATIVE
ACTION TRAINING FUND, HEAVY AND HIGHWAY
COMMITTEE, and OPERATING ENGINEERS LOCAL 3,

Plaintiffs,

v.

OLIVER TRANSBAY CONSTRUCTION, INC., a
California corporation, and FRANK OLIVER, an individual,

Defendants.

No. C 08-05548 WHA

**ORDER REGARDING
DISMISSAL; ORDER
SCHEDULING CMC**

The Court is in receipt of plaintiffs notice of voluntary dismissal without prejudice pending confirmation of check clearance. Plaintiffs should file a dismissal once the check has cleared and there is no further need for a conditional dismissal. A case management conference is hereby scheduled for **JULY 9, 2009, AT 11:00 A.M.** The parties should file a joint case management statement at least seven days prior to the hearing.

IT IS SO ORDERED.

Dated: June 19, 2009.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE